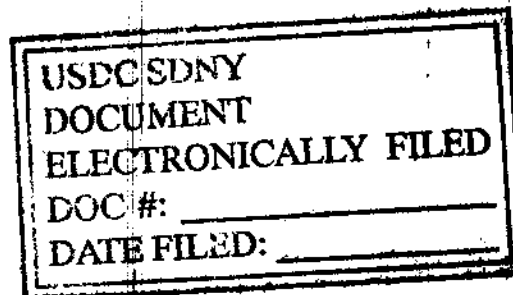


Bond No. CGB7593868

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOULIHAN, LOKEY, HOWARD & ZUKIN, INC.,
AND HLHZ INVESTMENTS, LLC.



vs.

Plaintiff(s)

KENNETH A. WASIK,

UNDERTAKING ON
TEMPORARY ~~RESTRAINING~~
RESTRAINING ORDER BOND

INDEX No. 07 CV 7030 (SHS)

Defendant(s)

WHEREAS, the Plaintiff(s) Houlihan, Lokey, Howard & Zukin, Inc.
above named is/are about to apply or has/have applied for a Temporary ~~Restraint~~ Restraint in the above entitled action, restraining the
Defendant(s) Kenneth A. Wasik
from doing certain things more fully described in
the Order to Show Cause dated August 7, 2007.

NOW, THEREFORE, the Fidelity and Deposit Company of Maryland, having an office and principal place of
business for the State of New York at
105 East 17th Street, New York, NY, 10003
does hereby, pursuant to the Statute in such case made and provided, undertake that the Plaintiff(s) will pay to the Defendant(s)
Kenneth A. Wasik
so enjoined, such damages and costs not exceeding the sum of Ten Thousand and Zero Cents
Dollars (\$ 10,000), as Kenneth A. Wasik
may sustain by reason of the ~~injunction~~ TRO, if the Court shall finally decide that the Plaintiff(s) is/are not entitled thereto; such damages
and costs to be ascertained by a reference, or otherwise as the Court shall direct.

8/13/07

Dated 08/10/2007

APPROVED AS TO FORM
James Dineen
CLERK
By J. Finn
DEP. CLERK
CGB25501NY1099f

Fidelity and Deposit Company of Maryland

By

Lourdes Scheel

, Attorney-in-Fact



ACKNOWLEDGMENT OF PRINCIPAL - IF A CORPORATION

STATE OF NEW YORK }
COUNTY OF } ss

On this day of, before me personally appeared
..... to be known, who, being by me duly sworn, did depose and
say, that he/she resides at, that he/she is the
President of the corporation described in and which
executed the within insurance instrument; that he/she knows the seal of said corporation; that the seal affixed
to said instrument is such corporate seal; that it was so affixed by the Board of Directors of said corporation;
and that he/she signed his/her name thereto by like order.

ACKNOWLEDGMENT OF PRINCIPAL - IF INDIVIDUAL OR FIRM

STATE OF NEW YORK }
COUNTY OF } ss

On this day of, before me personally appeared
..... to me know to be (the individual) (one of the firm
of.....), described in and who executed the within instrument and he/she
thereupon acknowledged to me that he/she executed the same (as the act and deed of said firm).

ACKNOWLEDGMENT OF SURETY COMPANY

STATE OF New York }
COUNTY OF New York } ss

On this 10th day of August, 2007, before me personally came Lourdes Scheel

to me known, who, being by me duly sworn, did depose and say, that he/she resides in

New York
Fidelity and Deposit Company of Maryland; that he/she is the Attorney-in-Fact of the
..... the corporation described in which
executed the above instrument; that he/she knows the seal of said corporation; that the seal affixed to said
instrument is such corporate seal; that it was so affixed by the Board of Directors of said corporation; and that
he/she signed his/her name thereto by like order; and the affiant did further depose and say that the
Superintendent of Insurance of the State of New York, has, pursuant to Section 1111 of the Insurance Law of
the State of New York, issued to Fidelity and Deposit Company of Maryland his/her
certificate of qualification evidencing the qualification of said Company and its sufficiency under any law of the
State of New York as surety and guarantor, and the propriety of accepting and approving it as such; and that
such certificate has not been revoked.

ZAKIR WAHAB
Notary Public, State of New York
No. 01WA6137722
Qualified in Queens County
Commission Expires Dec. 5, 2009


Notary Public

Bond Number: CGB7593868

Power of Attorney

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

HOME OFFICE: 3910 KESWICK ROAD, BALTIMORE, MD 21211

KNOW ALL MEN BY THESE PRESENTS: That the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation of the State of Maryland, by Frank E. Martin, Jr., Vice President and Gerald F. Haley, Assistant Secretary, in pursuance of authority granted by Article VI, Section 2, of the By-Laws of said Company, which are set forth on the page hereof and are hereby put in full force and effect on the date hereof, does hereby constitute and appoint Frank E. Martin, Jr. its true and lawful agent and Attorney-in-Fact, to make, execute, seal and deliver, for, and on behalf of said Company, as surety, and as its act and deed, a bond for undertaking number CGB7593868, issued on behalf of Houlihan, Lokey, Howard & Zuckerman, Inc., as Principal in a penalty not to exceed the sum of Twelve Thousand and Zero (\$ 12,000) for the execution of such bond in pursuance of these presents, said bond as binding upon said company, as fully and as completely as if the same were executed and acknowledged by the respective officers of the Company at its office in Baltimore, MD, in their own proper persons.

The said Assistant Secretary hereby certify that the foregoing is a true and correct copy of Article VI, Section 2, of the By-Laws of said Company, and is now in full force and effect.

IN WITNESS WHEREOF, the said Vice-President and Assistant Secretary have hereunto subscribed their names and affixed the Corporate Seal of the said FIDELITY AND DEPOSIT COMPANY OF MARYLAND this 10th day of August, A.D. 2007.

ATTEST:

FIDELITY AND DEPOSIT COMPANY OF MARYLAND



Gerald F. Haley
Gerald F. Haley

Assistant Secretary

By:

Frank E. Martin, Jr.
Frank E. Martin, Jr.

Vice President

Vice President

State of Maryland } ss:
County of Baltimore

On this 10th day of August, A.D. 2007, before the subscriber, a Notary Public of the State of Maryland, duly commissioned and qualified, came Frank E. Martin, Jr., Vice President, and Gerald F. Haley, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, to me personally known to be the individuals and officers described in and who executed the preceding instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and say, that they are the said officers of the Company aforesaid, and that the seal affixed to the preceding instrument is the Corporate Seal of said Company, and that the said Corporate Seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of the said Corporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year first above written.



Stephen G. Moxley
My Commission Expires:

Stephen G. Moxley
Notary Public
November 1, 2007

EXTRACT FROM BY-LAWS OF FIDELITY AND DEPOSIT COMPANY OF MARYLAND

"Article VI, Section 2. The Chairman of the Board, or the President, or any Executive Vice-President, or any of the Senior Vice-Presidents or Vice-Presidents specially authorized so to do by the Board of Directors or by the Executive Committee, shall have power, by and with the concurrence of the Secretary or any one of the Assistant Secretaries, to appoint Resident Vice-Presidents, Assistant Vice-Presidents and Attorneys-in-Fact as the business of the Company may require, or to authorize any person or persons to execute for the Company any bonds, undertaking, recognizance, policies, contracts, agreements, releases and assignments, decrees, mortgages and instruments in the name of the Company thereto."

CERTIFICATE

I, the undersigned, Assistant Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the original Power of Attorney of which the foregoing is a full, true and correct copy, is in full force and effect on this day of August, 2007; and I do further certify that the Vice-President who executed the said Power of Attorney was specially authorized by the Board of Directors to appoint any Attorney-in-Fact as provided in Article VI, Section 2, of the By-Laws of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND.

This Power of Attorney and Certificate may be signed by facsimile under and by authority of the following resolution of the Board of Directors of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND at a meeting duly called and held on the 5th day of May, 1994.

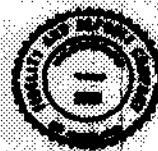
RESOLVED: "That the facsimile or mechanically reproduced seal of the company and facsimile or mechanically reproduced signature of any Vice-President, Secretary, or Assistant Secretary of the Company, whether made heretofore or hereafter, wherever appearing upon a certified copy of any power of attorney issued by the Company, shall be valid and binding upon the Company with the same force and effect as though manually affixed."

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed the corporate seal of the said Company, this 10th day of August, 2007.



L.L. Goucher

Assistant Secretary





FIDELITY AND DEPOSIT COMPANY

OF MARYLAND

3910 KESWICK ROAD, BALTIMORE, MD 21203

Statement of Financial Condition
As Of December 31, 2006

ASSETS

Bonds	\$ 150,563,710
Stocks	39,367,826
Cash and Short Term Investments	38,939,878
Reinsurance Recoverable	8,609,769
Other Accounts Receivable	25,762,452
TOTAL ADMITTED ASSETS	\$ 263,243,635

LIABILITIES, SURPLUS AND OTHER FUNDS

Reserve for Taxes and Expenses	\$ 625,582
Ceded Reinsurance Premiums Payable	32,539,566
Securities Lending Collateral Liability	33,329,707
TOTAL LIABILITIES	\$ 68,494,855
Capital Stock, Paid Up	\$ 5,000,000
Surplus	189,756,260
Surplus as regards Policyholders	194,756,260
TOTAL	\$ 263,243,635

Securities carried at \$33,209,464 in the above statement are deposited as required by law.

Securities carried on the basis prescribed by the National Association of Insurance Commissioners. On the basis of December 31, 2006 market quotations for all bonds and stocks owned, the Company's total admitted assets would be \$261,193,375 and surplus as regards policyholders \$192,706,000.

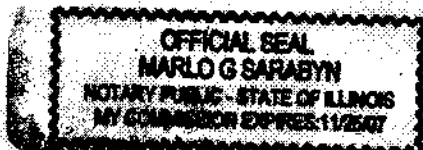
I, DAVID A. BOWERS, Corporate Secretary of the FIDELITY AND DEPOSIT COMPANY OF MARYLAND, do hereby certify that the foregoing statement is a correct exhibit of the assets and liabilities of the said Company on the 31st day of December, 2006.

Corporate Secretary

State of Illinois }
City of Schaumburg } SS:

Subscribed and sworn to, before me, a Notary Public of the State of Illinois, in the City of Schaumburg, this 20th day of March, 2007.

Notary Public



STATE OF NEW YORK
INSURANCE DEPARTMENT

It is hereby certified that

Fidelity & Deposit Company of Maryland
of Baltimore, Maryland

a corporation organized under the laws of the State of Maryland and duly authorized to transact the business of insurance in this State, is qualified to become surety or guarantor on all bonds, undertakings, recognizances, guaranties and other obligations required or permitted by law; and that the said corporation is possessed of a capital and surplus including gross paid-in and contributed surplus and unassigned funds (surplus) aggregating the sum of \$197,255,272.00 (Capital \$5,000,000.00) as is shown by its sworn financial statement for the year ended March 31, 2007 on file in this Department, prior to audit.

The said corporation cannot lawfully expose itself to loss on any one risk or hazard to an amount exceeding 10% of its surplus to policyholders, unless it shall be protected in excess of that amount in the manner provided in Section 4118 of the Insurance Law of this State.



In Witness Whereof, I have here-
unto set my hand and affixed the
official seal of this Department
at the City of Albany, this 18th
day of July, 2007.

Eric R. Dinallo
Superintendent of Insurance

By

Salvatore Castiglione
Special Deputy Superintendent